

REMARKS

This application has been reviewed in light of the Advisory Action mailed July 31, 2009. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 1 – 4, 6 – 17 and 34 – 40 are pending in the application, with Claims 1 and 34 being in independent form. By the present amendment, Claims 1 and 9 are amended, Claims 34 – 40 are canceled, and Claim 41 is newly added.

The features recited in amended Claim 1 are supported throughout the disclosure as originally filed, for example, page 25, lines 9 – 21 and page 28, lines 4 – 19. Also, Claim 9 is amended to clarify the language recited therein and correct informalities. Additionally, newly added Claim 41 recites features found in Claims 1, 2 and 34. Therefore, no new subject matter is introduced into the disclosure by way of the present amendment.

Iddan (US 2002/0111544 A1) discloses that “...the blood will react with the indicator in the interaction chamber 38 resulting in an optical change that will be imaged by the optical detector 36...” (see paragraph [0051]).

Iddan further discloses that “...the image of the optical change and of the location in the GI tract will be transmitted to an external operator who can identify the location of the device 30 at the time the image was produced and thus identify the origin of bleeding...” (See: paragraph [0051]).

Thus, Iddan merely discloses that a sample reacts with an agent in the interaction chamber resulting in an optical change, and that an image of the optical change and of the location will be transmitted to an external operator.

Iddan fails to disclose or suggest a configuration of “...a specimen-evaluating section for evaluating measurement data of the specimen reacted in the reactor section on the basis of

reference data and outputting an evaluation result...” as recited in amended Claim 1, so as to allow the in-vivo information acquisition apparatus to evaluate measurement data (for example, data from antigen-antibody reaction in a reactor) of the specimen in a body cavity.

According to amended Claim 1 reciting the aforementioned configuration, an arithmetic operation can be performed in a body cavity by using the reference data and measurement data in the specimen-evaluating section so as to evaluate the specimen. The above effects from the claimed invention are unexpected from Iddan.

Newly added Claim 41 recites similar relevant features as Claim 1 and thus the above-presented reasons apply equally well to Claim 41. Consequently, the subject matter of Claims 1 and 41 are patentably distinguished over Iddan. In addition, the subject matter of Claims 1 and 41 are non-obvious over the disclosure of Iddan.

CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1 – 4, 6 – 17 and 41 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,

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